

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
March 5, 2015

Closed Session: none

Call to Order: 9:04 a.m.

Opening Ceremony: Beatrice Law

Council Present: Secretary Julia Shananaquet, Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Michael Naganashe, Councilor Aaron Otto, Councilor Winnay Wemigwase

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Treasury Director Michael Garrow, Enjinaaknegeng General Counsel James Bransky, Legislative Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley, Tribal Administrator Albert Colby, Jr., SEEDS Project Director Shiloh Guarisco; Environmental Services Kira Davis, Youth Services Sara Lucier, Natural Resource Commission Director Doug Craven; Child Welfare Commission Rochelle Ettawageshik, and Heidi Bosma

Public: Renee' Dillard, Virginia Lewis, John Kawegoma, Linda Gokee

Invited Guests: Ervin Barrett, Michigan State University Extension Emily Proctor, Crooked Tree Youth Council: Wengosh Craven, Elizabeth Murburski, Katie Kurburski, Heather Dufek, Emily Kurburski,

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Motion made by Councilor Law supported by Councilor Wemigwase to adopt the agenda of March 5, as amended.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to approve the minutes of February 19, 2015 as corrected.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

1 9:21 a.m.: Elder comments – No comments at this time

2  
3 **Executive Updates**

4 Discussion Items: Executive Declaration, homeless shelters, handbook  
5 amendments, new employee introduction.  
6

7 Motion made by Councilor Wemigwase and supported by Treasurer Reyes to  
8 acknowledge the verbal Executive report of Interim-Chairperson Gasco-Bentley  
9 as presented on March 5, 2015.

10 Oversight Report (EOR) as presented on March 5, 2015.

11 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

12 Motion carried.  
13

14 **Legislative Reports**

15 **Legislative Leader Report** – Position is currently vacant  
16

17 **Secretary Report**

18 The following Tribal Council adopted/approved documents were delivered to the  
19 Executive for signature:  
20

21 Tribal Resolution #021915-01-Approval of the Gaming Authority  
22 Committee FY 2015 Amended Budget for an Additional Sum of  
23 \$15,000.00 for Legal Consulting Services.  
24 Signed by the Executive on 02-24-15.  
25

26 Tribal Resolution #021915-02-Supplemental Funding for Traditional Burial  
27 Grounds Board in the amount of \$27,000.00 for Fiscal Year 2015 to come  
28 from Prior Period Funds.  
29 Signed by the Executive on 02-24-15.  
30

31 Tribal Resolution #021915-03-Supplemental Funding in the Amount of  
32 \$215,000.00 for Security System for Government Buildings.  
33 Signed by the Executive on 02-24-15.  
34

35 Tribal Resolution #021915-04-Funding for FY 2015 Shortfall for Health  
36 Department.  
37 Signed by the Executive on 02-24-15.  
38

39 Waganakising Odawak Statute 2015-002: Recall of an Official and Leave  
40 of Absence.  
41 Signed by the Executive on 02-24-15.  
42

43 **Vetoos:** None  
44

45 **Phone Polls:** None  
46

1 Motion made by Councilor Law and supported by Councilor Denemy to accept  
2 Secretary Shananaquet's verbal report as presented on March 5, 2015.

3 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

4 Motion carried.

5  
6 Treasurer Report

7 Motion made by Councilor Law and supported by Secretary Shananaquet to  
8 accept Treasurer Reyes' verbal report as presented on March 5, 2015.

9 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

10 Motion carried.

11  
12 **Tribal Council Reports – None to report**

13  
14 **Tribal Council Travel Reports – None to report**

15  
16 **Tribal Council Committee Reports:**

17 **Gaming Authority Committee**

18 Motion made by Councilor Wemigwase and supported by Councilor Naganashe  
19 to accept the verbal report of the Gaming Authority Committee as presented by  
20 Councilor Otto, Committee Chairman.

21 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

22 Motion carried.

23  
24 **9:57 a.m. Break**

25 **10:07 a.m. Resume**

26  
27 **10:00 a.m. Environmental Services-** Presentation regarding LTBB Water  
28 Quality as presented by Kira Davis and Renee Dillard.

29  
30 Motion made by Councilor Naganashe and supported by Treasurer Reyes to  
31 acknowledge the verbal and written report given by Kira Davis regarding the  
32 LTBB Water Quality Work Group.

33 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

34 Motion carried.

35  
36 **10:28 a.m. – 10:42 a.m. Elder comment**

- 37 • Citizen Brad Baker inquired into the Tribes stance on Marijuana.

38  
39 **AdHoc Agricultural Work Group (AAWG)**

40 Motion made by Councilor Wemigwase and supported by Councilor Law to  
41 accept the verbal report of Agricultural Assessment Work Group as presented by  
42 Treasurer Reyes, AAWG Secretary.

43 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

44 Motion carried.

45  
46 **Land and Reservation Committee – No meeting since last Tribal Council**  
47 **meeting, next meeting to be held March 17, 2015.**

1  
2 **Legal and Legislative Committee**

3 Motion made by Councilor Naganashe and supported by Councilor Otto to  
4 accept the verbal report of the Legal Legislative Committee as presented by  
5 Councilor Law, Committee Chairperson.

6 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

7 Motion carried.

8  
9 **Ethics Committee – Last Ad Hoc Committee meeting was cancelled to due**  
10 **weather.**

11  
12 Motion made by Councilor Law and supported by Councilor Wernigwase to  
13 accept the verbal report of the Ethics Committee as presented by Councilor Otto,  
14 Committee Chairman.

15 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

16 Motion carried.

17  
18 **11:03 a.m. Break**

19 **11:08 a.m. Meeting Resumes**

20  
21 **11:08 a.m. Emily Proctor-4- H Crooked Tree Youth Leadership Program**

22 Motion made by Treasurer Reyes and supported by Councilor Denemy to  
23 welcome Citizen Emily Proctor and acknowledge the introduction of the 4-H  
24 Crooked Tree Youth participants.

25 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

26 Motion carried.

27  
28 **11:47 a.m. Public Comment opens:**

- 29
- 30 • Citizen John Kawegoma addressed the Healthy Heart Program budget,  
and a Casino Hotel.
  - 31 • Citizen Andrew Stich commented on Tribal Council travel and  
32 expenditures, and work session attendance.
  - 33 • Citizen Linda Gokee commented on nomination of Tribal Prosecutor and  
34 the position of Associate Judge Pro Tem.

35 **12:11 p.m. Public Comment closes.**

36  
37 **12:12 p.m. Lunch**

38 **1:31 p.m. Meeting resumes**

39  
40 **1:33 p.m. – 2:04 p.m. Appellate Justices**

41 Motion made by Councilor Law and supported by Councilor Denemy to  
42 acknowledge the verbal report given by Chief Justice Single regarding Appellate  
43 Back Log Report.

44 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

45 Motion carried.

1 **Legislative Office Reports:**

2 **Treasury Director Report**

3 Motion made by Councilor Law and supported by Councilor Wemigwase to  
4 accept Treasury Director Garrow's verbal and written report as presented on  
5 March 5, 2015.

6 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

7 Motion carried.

8  
9 **Legislative Services Attorney Report**

10 Motion made by Councilor Law and supported by Secretary Shananaquet to  
11 accept Legislative Services Attorney Budnick's verbal and written report as  
12 presented on March 5, 2015.

13 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

14 Motion carried.

15  
16 **2:39 p.m. – 3:12 p.m. Prosecutor Interview – Angela Sherigan**

17  
18 **2:40 p.m. Councilor Keshick exits**

19  
20 **3:13 p.m. Public Comment opens:**

- 21 • Citizen Rochelle Ettawageshik invited Tribal Council to attend the Indian  
22 Child Welfare Commission meetings. She also announced her  
23 appointment as the Chairperson of the National Indian Child Welfare  
24 Board.
- 25 • Citizen Linda Gokee spoke of her concerns with the Tribal Prosecutor  
26 interviewee.

27 **3:21 p.m. Public Comment closed.**

28  
29 **3:22 p.m. Break.**

30 **3:33 p.m. Resume.**

31  
32 **3:45 p.m. Odawa Fishery, Inc. Charter Position Interview - Ervin Barrett**

33  
34 **Enjinaaknegeng**

35 Motion made by Councilor Denemy and supported by Treasurer Reyes to accept  
36 General Counsel Bransky's verbal and written report as presented on March 5,  
37 2015.

38 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Keshick)

39 Motion carried.

40  
41 **Legislative Office Manager**

42 Motion made by Councilor Law supported by Councilor Wemigwase to accept  
43 Legislative Office Manager LaCount's verbal and written report as presented on  
44 March 5, 2015

45 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Keshick)

46 Motion carried.

1 **Action Items - Motions**

2 Motion made by Treasurer Reyes supported by Councilor Otto to approve  
3 Certified Motion 030515-01 Establish the Water quality Protection Work Group.

4 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Keshick)

5 Motion carried.

6  
7 Motion made by Councilor Wemigwase and supported by Councilor Law to  
8 assign Ervin Barrett to the Odawa Fishery Inc. Corporate Charter Board.

9 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Keshick)

10 Motion carried.

11  
12 Motion made by Councilor Wemigwase and supported by Councilor Otto to  
13 approve travel for Treasurer Reyes to attend the Great Lakes Food Conference,  
14 Green Bay, WI on April 14-16, 2015.

15 Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Keshick)

16 Motion carried.

17  
18 **4:33 p.m. Councilor Keshick returns.**

19  
20 Motion made by Councilor Law and supported by Councilor Denemy  
21 to amend the agenda to include Tribal Council appointment to the Water Quality  
22 Work Group and to approve travel to the Water Quality Standards Academy,  
23 Tribal Resolution: Decommission and Safe Removal of Pipeline Running under  
24 the Straits of Mackinac, Authorize Tribal Chairperson to sign the proposed 4<sup>th</sup>  
25 Amendment to the Resident Tribal Member's Sales Tax Agreement, and (3)  
26 motions pertaining to liquor licenses for Odawa Casino, Odawa Hotel and  
27 Biindagen.

28 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

29 Motion carried.

30  
31 Motion made by Secretary Shananaquet supported by Councilor Law to appoint  
32 Councilor Wemigwase and Councilor Otto to the LTBB Water Quality Work  
33 Group.

34 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

35 Motion carried.

36  
37 Motion made by Secretary Shananaquet supported by Councilor Law to approve  
38 travel for Councilor Wemigwase and Councilor Otto to attend EPA Water Quality  
39 Standards Academy on April 27, 2015 – May 1, 2015 in Washington, D.C.

40 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

41 Motion carried.

42  
43 Motion made by Secretary Shananaquet and supported by Councilor Law to  
44 approve the Odawa Fishery Inc. Corporate Charter Addendum 030515-01 that  
45 assigns Ervin Barrett to the Charter Board with term ending April 6, 2017.

46 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

47 Motion carried.

1  
2 Motion made by Councilor Otto and supported by Councilor Denemy to approve  
3 the issuance of a liquor license for sale of alcoholic beverages solely for  
4 consumption on the premises at the Odawa Hotel, which is located on land held  
5 in trust for the Tribe by the United States at 1444 US 131 S. Petoskey, MI 49770,  
6 until the date of approval of Waganakising Odawak Statute 2009-019 Liquor and  
7 Tobacco Licensing Board Statute by the Bureau of Indian Affairs or in 365 days,  
8 whichever is later; and authorizes the Tribal Chairman to sign the license.

9 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

10 Motion carried.

11  
12 Motion made by Treasurer Reyes and supported by Councilor Wemigwase to  
13 approve the issuance of a liquor license for sale of alcoholic beverages for  
14 consumption on the premises at Odawa Casino Resort, which is located on land  
15 held in trust for the Tribe by the United States at 1760 Lears Road, Petoskey, MI  
16 49770, and an “off-premises” license for wine sales at the “Just North” and the  
17 Sage Restaurant at the same address, until the date of approval of  
18 Waganakising Odawak Statute 2009-019 Liquor and Tobacco Licensing Board  
19 Statute by the Bureau of Indian Affairs or in 365 days, whichever is later; and  
20 authorizes the Tribal Chairman to sign the license.

21 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

22 Motion carried.

23  
24 Motion made by Councilor Law and supported by Treasurer Reyes to approve a  
25 liquor license for Biindigen for “off-premises” license to sell alcohol at 2169 US 31  
26 North, Petoskey, MI 49770 until the date of approval of Waganakising Odawak  
27 Statute 2009-019 Liquor and Tobacco Licensing Board Statute by the Bureau of  
28 Indian Affairs or in 365 days, whichever is later; and authorizes the Tribal  
29 Chairman to sign the license.

30 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

31 Motion carried.

### 32 33 **Action Items - Roll Call Votes**

34 Motion made by Councilor Denemy supported by Treasurer Reyes to approve  
35 Angela Sherigan for Tribal Prosecutor for a 3-year term.

36 Roll call: Councilor Denemy-yes, Councilor Keshick-no, Councilor Law-no,  
37 Councilor Naganashe-no, Councilor Otto-no, Councilor Wemigwase-no,  
38 Treasurer Reyes-no, Secretary Shananaquet-abstain

39 Motion fails.

40  
41 Motion made by Councilor Wemigwase supported by Councilor Law to pass  
42 Waganakising Odawak Statute Domestic Violence Statute.

43 Roll call: Councilor Denemy-yes, Councilor Keshick-no, Councilor Law-yes,  
44 Councilor Naganashe-no, Councilor Otto-yes, Councilor Wemigwase-yes,  
45 Treasurer Reyes-yes, Secretary Shananaquet-no

46 Motion carried.

1 Motion made by Secretary Shananaquet and supported by Councilor Law to  
2 table Waganakising Odawak Statute Personal Protection Orders and No Contact  
3 Orders and Violations of Protective Orders.

4 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

5 Motion carried.

6  
7 Motion made by Treasurer Reyes supported by Councilor Wemigwase to pass  
8 Waganakising Odawak Statute Amendment to Waganakising Odawak Statute #  
9 2008-006 Enrollment for Citizenship Statute.

10 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,  
11 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes,  
12 Treasurer Reyes-yes, Secretary Shananaquet-yes

13 Motion carried.

14  
15 Motion made by Councilor Law supported by Councilor Wemigwase to pass  
16 Waganakising Odawak Statute Victim's Rights as sponsored by the VAWA Work  
17 Group.

18 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,  
19 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes,  
20 Treasurer Reyes-yes, Secretary Shananaquet-yes

21 Motion carried.

22  
23 Motion made by Councilor Keshick supported by Councilor Wemigwase to pass  
24 Waganakising Odawak Statute Amendment to the Child Protection Statute.

25 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,  
26 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes,  
27 Treasurer Reyes-yes, Secretary Shananaquet-yes

28 Motion carried.

29  
30 Motion made by Councilor Wemigwase supported by Councilor Naganashe to  
31 adopt Tribal Resolution: Decommission and Safe Removal of Pipeline Running  
32 under the Straits of Mackinac

33 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,  
34 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes,  
35 Treasurer Reyes-yes, Secretary Shananaquet-yes

36 Motion carried.

37  
38 Motion made by Councilor Law and supported by Councilor Naganashe to  
39 approve fourth Amendment to the Tax Agreement between the Little Traverse  
40 Bay Bands of Odawa Indians and the State Of Michigan and to authorize the  
41 Tribal Chairperson to sign the proposed fourth amendment on behalf of LTBB.

42 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

43 Motion carried.

#### 44 45 **Adjournment**

46 523:p.m. Motion made by Councilor Denemy and supported by Councilor Law to  
47 adjourn meeting.



1 Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)  
2 Motion carried.  
3  
4

5 Next Scheduled Meeting  
6 March 19, 2015  
7

8 Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-  
9 1406 for additional updates and clarifications of these minutes as presented.  
10

11 These Minutes have been read and approved as written (or) corrected: (delete  
12 either the word “written” or “corrected” as pertains to how the minutes were  
13 approved.)  
14  
15

16  
17 \_\_\_\_\_  
18 Julia A. Shananaquet, Tribal Council Secretary  
19  
20  
21  
22

Date